

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ESSAR STEEL ALGOMA, INC., et al.
Plaintiff,
v.
SOUTHERN COAL SALES
CORPORATION
Defendant.

Case No. 1:17-mc-00360-AT

**DEFENDANTS' MOTION TO
DISMISS SECOND AMENDED
COMPLAINT AS TO THE NEW
DEFENDANTS**

Defendants, James C. Justice Companies, Inc., James C. Justice Companies, LLC, Bluestone Industries, Inc., Bluestone Coal Corporation, Bluestone Mineral, Inc., Bluestone Energy Sales Corporation, A&G Coal Corporation, Tams Management Inc., Encore Leasing LLC, Bluestone Resources Inc., Justice Family Farms, LLC, 15 Corporation (collectively, the “New Defendants”), and Nevada Holdings (formerly Southern Coal Sales Corp.), pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure and the Court’s Order entered March 27, 2019 (Dkt. No.138), respectfully move the Court to enter an Order dismissing, with prejudice, the allegations in Plaintiff’s Second Amended Complaint (Doc. 106) asserted against the New Defendants. A supporting Memorandum is submitted herewith.

Respectfully submitted,

Dated: June 24, 2019

/s/ Richard A. Getty
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CORPORATION, A&G COAL CORPORATION,
TAMS MANAGEMENT INC., ENCORE
LEASING LLC, BLUESTONE RESOURCES
INC., JUSTICE FAMILY FARMS, LLC AND
SOUTHERN COAL CORPORATION

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